

JP

JUDGE DOW

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MAGISTRATE JUDGE VALDEZ

UNITED STATES OF AMERICA

Case No. 19 CR 797

v.

Violations: Title 18, United States
Code, Sections 664 and 1341

EUNICE SALLEY,
a/k/a Eunice Salley Dobyns, and
a/k/a Oya Awanata-Bey

FILED

NOV 05 2019

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

The SPECIAL JUNE 2018 GRAND JURY charges:

COUNT ONE

1. At times material to the indictment:

a. Defendant EUNICE SALLEY was the granddaughter of Relative A and resided at Residence A in Chicago, Illinois, which is in the Northern District of Illinois.

b. Relative A was employed by Company A until her retirement in April 1976. Subsequent to Relative A's retirement, Company A was acquired by Company B which later was acquired by Company C.

c. As an eligible retired Company A employee, Relative A received a monthly pension check. The employee pension benefit plan for Relative A from Company A was a single life annuity, and the payments were made in a specific identical amount per month and payment terminated upon the death of the pensioner, with no survivor benefits. Beginning in approximately April 1976, Company A Pension Trust, and later Company B Pension Trust, (hereinafter collectively "Pension Trust") issued and caused to be issued to Relative A monthly

pension checks in the amount of \$428.24. The monthly checks were mailed to Relative A at Residence A. The Pension Trust was subject to the provisions of title I of the Employee Retirement Income Security Act of 1974.

d. Relative A passed away on September 12, 2009, at which time Relative A was no longer eligible for pension payments.

2. Beginning by at least March 2010, and continuing until in or about December 2017, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere,

EUNICE SALLEY,
a/k/a Eunice Salley Dobyns, and
a/k/a Oya Awanata-Bey

defendant herein, did knowingly devise, intend to devise and participate in a scheme to defraud the Pension Trust and to obtain money and property from the Pension Trust by means of materially false and fraudulent pretenses, representations, and promises, which scheme is further described below.

3. It was part of the scheme that defendant EUNICE SALLEY falsely represented to the Pension Trust that Relative A was still alive and eligible for pension payments in order for defendant to receive Relative A's pension checks that she was not entitled to, which defendant then deposited into accounts she controlled and used the money for her own benefit.

4. It was further part of the scheme that defendant did not notify the Pension Trust that Relative A had passed away in order to induce the Pension Trust to continue to send pension payments to Relative A.

5. It was further part of the scheme that defendant received Relative A's pension payments that were sent to Residence A and made payable to Relative A, after Relative A passed away.

6. It was further part of the scheme that defendant fraudulently deposited the pension payments made to Relative A into bank accounts controlled by defendant, and that defendant used those pension funds for her own benefit.

7. It was further part of the scheme that after Relative A's death, defendant sent false Letters of Affidavit to Company C, stating that Relative A was living and still entitled to pension payments. Defendant fraudulently included Relative A's signature on the Letters of Affidavit, which defendant then notarized, and included Relative's A correct social security account number.

8. It was further part of the scheme that defendant misrepresented, concealed, and hid, and caused to be misrepresented, concealed, and hidden, the purposes of the scheme and acts done in furtherance of the scheme.

9. On or about December 30, 2015, at Chicago, in the Northern District of Illinois, Eastern Divison, and elsewhere,

EUNICE SALLEY,
a/k/a Eunice Salley Dobyns, and
a/k/a Oya Awanata-Bey

defendant herein, for the purpose of executing the scheme to defraud, knowingly placed and caused to be placed in an authorized depository for mail an item to be delivered by the United States Postal Service, namely, a Letter of Affidavit, which

falsely stated that Relative A was still living, addressed to Company A in Lincolnshire, Illinois;

In violation of Title 18, United States Code, Section 1341.

COUNTS TWO THROUGH SIX

1. The allegations set forth in paragraph 1 of this indictment are re-alleged and incorporated here.

2. On or about the dates set forth below, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere

EUNICE SALLEY,
a/k/a Eunice Salley Dobyns, and
a/k/a Oya Awanata-Bey

defendant herein, did steal, and unlawfully and willfully abstract and convert to her own use, the below amounts from the Pension Trust, an employee pension benefit plan subject title I of the Employee Retirement Income Security Act of 1974, and of a fund connected with such plan.

COUNT	DATE	AMOUNT
TWO	January 7, 2016	\$428.24
THREE	December 28, 2016	\$428.24
FOUR	March 28, 2017	\$428.24
FIVE	July 6, 2017	\$428.24
SIX	December 4, 2017	\$428.24

In violation of Title 18, United States Code, Section 664.

A TRUE BILL:

FOREPERSON

UNITED STATES ATTORNEY